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May 28, 2020

VIA ECF:

Hon. Lorna G. Schofield
United States District Judge
Thurgood Marshall
United States Courthouse
40 Foley Square
New York, NY 10007

Application DENIED without prejudice for renewal. Defendant shall file a letter by **June 5, 2020**, apprising the Court of its efforts to retain a vendor and a proposed timeline and plan of inspection. Defendant may renew its request for deadline extensions at that time. The Case Management Conference scheduled for June 18, 2020, and the pre-motion letter deadline are adjourned *sine die*.

Dated: May 29, 2020
New York, New York



LORNA G. SCHOFIELD
UNITED STATES DISTRICT JUDGE

Re: Submission Response in Compliance with ECF #80
Carney v. Boston Market Corporation; S.D.N.Y. 18-CV-713

Dear Judge Schofield:


We respectfully submit this filing in accordance with the Court's May 14, 2020 Order. For the reasons set forth herein, we request an extension of time to complete discovery. Consistent with the discussion during the parties' May 14 telephone conference and per the Court's Order, Plaintiff's deposition is scheduled for June 3, to proceed via remote means, and we do not request an extension of time to conduct depositions. The extension is required to complete an inspection and to exchange any expert discovery. We also request an extension of time to file a motion for summary judgment.

Defendant has not yet retained a vendor. A search was expanded to include potential vendors in, or able to travel to, Raleigh, North Carolina. We have not identified an appropriate vendor in Raleigh, but we received notification this week from potential consultants in New Jersey and Pennsylvania, who expect to be in a position to confirm a commitment to travel to North Carolina for an inspection within the next few weeks. The specific timeline and plan for inspection will include the vendors' schedule and input, as well as Plaintiff's availability.

The fact and expert discovery deadlines are currently set for June 9. We request 45 days, Friday July 24, to complete fact discovery other than party depositions. We request 60 days, August 7 to complete expert discovery. The deadline to file a pre-motion letter regarding summary judgment is currently June 4. We request 46 days, Monday July 20, to submit any pre-motion letter to address summary judgment.

We thank the Court for Its time and attention.

Respectfully submitted,



Anastasios Tonorezos

cc: Per Request and Consent to Electronic Service
VIA ECF and Electronic Mail
Ashley D. Carney
Plaintiff, *Pro Se*

Samantha James, Esq.
Counsel for Pro Bono Deposition

Jason Myers (London Fischer)